

7/64. (Amended) An immunogenic composition comprising an immunostimulant and an antigen-presenting cell that expresses a polypeptide, wherein the polypeptide comprises a sequence selected from the group consisting of:

- (a) SEQ ID NO: 113;
- (b) at least a 10 amino acid portion of SEQ ID NO: 113; and
- (c) sequences having at least 90% identity to SEQ ID NO: 113,

wherein the polypeptide contains an amino acid sequence capable of stimulating a human cytotoxic T lymphocyte response.

REMARKS

Applicants wish to thank Examiner Taylor Cleveland for the productive telephonic interview dated February 27, 2002, regarding the claims under examination in this application. Applicants acknowledge that the subject matter of claim 62 has been allowed. Applicants submit this response to the Office Action dated January 3, 2002. Claims 19-20, 22, 26-28, 30 and 61-65 are currently under examination. Following the above amendments, and as further discussed below in the context of the Examiner's rejections, claims 61, 62 and 64 have been amended for purposes of clarity and to more clearly point out one aspect of the present invention. Applicants submit that each of these amendments is supported in the specification as filed (for example the length limitation may be found in the definition of immunogenic portion at page 80, lines 25-29) and no new matter has been added. It is also noted that each of the above amendments is made without prejudice to prosecution of any or all subjected matter modified by this amendment in a related divisional, continuation and/or continuation-in-part application.

Claims 19, 20, 22, 26-28, 30, 61 and 63-65 stand rejected under 35 U.S.C. 102(e) as being anticipated by Covacci *et al.* in U.S. Patent No. 6,090,611. More particularly, the Examiner asserts that Covacci *et al.* teaches an immunogenic composition comprising an immunostimulant and a polypeptide comprising a "portion" of the instant SEQ ID NO: 113.

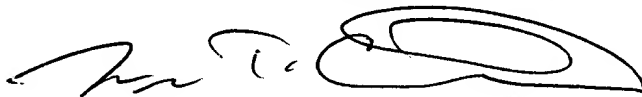
As discussed with Examiner Taylor Cleveland in the telephone interview conducted February 27, 2002, Applicants have amended claims 61, 62 and 64, for purposes of clarity, such that the polypeptides of the claimed immunogenic compositions

comprise at least a 10 amino acid portion of SEQ ID NO: 113. As Covacci *et al.* does not describe a polypeptide comprising at least a 10 amino acid portion of SEQ ID NO: 113, Covacci *et al.* fails to anticipate Applicants' presently claimed compositions. Reconsideration of the Examiner's rejection is thus respectfully requested.

Please credit any overpayment or charge any deficiency to Deposit Account No. 19-1090. The Examiner is invited to contact the undersigned at (206) 694-4885 with any questions, comments and/or suggestions relating to this communication. The attached page is captioned "Version With Markings to Show Changes Made."

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

Please amend claims 61, 62 and 64, as follows

61. An immunogenic composition comprising an immunostimulant and a polypeptide, wherein the polypeptide comprises ~~a sequence selected from the group consisting of:~~

~~_____~~ (a) ~~SEQ ID NO: 113; and~~

~~_____~~ (b) at least a 10 amino acid portion immunogenic portions of SEQ ID NO: 113; and wherein the polypeptide contains an amino acid sequence capable of stimulating a human cytotoxic T lymphocyte response.

62. An immunogenic composition comprising an immunostimulant and a polypeptide, wherein the polypeptide comprises a sequence having at least 90% identity to SEQ ID NO: 113 and wherein the polypeptide contains an amino acid sequence capable of stimulating ~~possesses an ability to stimulate a~~ human cytotoxic T lymphocyte response ~~in sera from normal donors.~~

64. An immunogenic composition comprising an immunostimulant and an antigen-presenting cell that expresses a polypeptide, wherein the polypeptide comprises a sequence selected from the group consisting of:

(a) SEQ ID NO: 113;

(b) at least a 10 amino acid portion of ~~immunogenic portions of~~ SEQ ID NO: 113; and

(c) sequences having at least 90% identity to SEQ ID NO: 113, wherein the polypeptide contains an amino acid sequence capable of stimulating ~~possesses an ability to stimulate a~~ human cytotoxic T lymphocyte response ~~in sera from normal donors.~~